

BLANK ROME LLP
 Mark S. Greenfield (SBN 61344)
 Greenfield@BlankRome.com
 Cheryl S. Chang (SBN 237098)
 Chang@BlankRome.com
 Jessica A. McElroy (SBN 299919)
 JMcElroy@BlankRome.com
 2029 Century Park East, 6th Floor
 Los Angeles, CA 90067
 Telephone: 424.239.3400
 Facsimile: 424.239.3434

Attorneys for Plaintiff
 GLOBAL FOOD INNOVATIONS, INC.

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

GLOBAL FOOD INNOVATIONS, INC., a
 Delaware Corporation,

Plaintiff,

vs.

WESTERN PROPERTY MANAGEMENT,
 LLC, a Nevada limited liability company;
 MARC MIRO, an individual; JACK WISE,
 an individual; JEFFREY COVEY, an
 individual; GERALD NORMAN, an
 individual; JAMES TERAN, an individual;
 GOLD FOODS, INC., a Delaware
 corporation; COMMERCIAL
 INTERNATIONAL CORPORATION, a
 Delaware corporation; MICRO-TENDER
 INDUSTRIES, INC., a Delaware
 corporation; and DOES 1 through 10,
 inclusive,

Defendants.

And Related Counterclaim.

Case No. 2:15-cv-00881-FMO-AGR

**[PROPOSED] ORDER
 GRANTING PLAINTIFF
 GLOBAL FOOD INNOVATIONS,
 INC.'S MOTION TO DISMISS
 DEFENDANT MICRO-TENDER'S
 COUNTERCLAIM**

[Fed. R. Civ. Proc. 12(b)(6)]

*[Filed concurrently with Motion to
 Dismiss Counterclaim; Chang
 Declaration and Request for Judicial
 Notice]*

Date: July 30, 2015
 Time: 10:00 a.m.
 Place: Courtroom 22 (5th Floor)
 Judge: Hon. Fernando M. Olguin

Complaint Filed: February 6, 2015
 FAC Filed: April 24, 2015
 Trial Date: May 17, 2016

1 IT IS HEREBY ORDERED that the hearing on plaintiff and counterdefendant
2 Global Food Innovations, Inc. (“GFI”) Motion to Dismiss the counterclaim
3 (“Counterclaim”) filed by defendant and counterclaimant Micro-Tender Industries,
4 Inc. (“Micro-Tender”) held on July 30, 2015 at 10:00 a.m. in Courtroom 22 of the
5 above-entitled court is GRANTED.

6 Micro-Tender’s Counterclaim is DISMISSED WITH PREJUDICE.
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13 Dated: _____

The Hon., Fernando M. Olguin
Judge of the United States District Court,
Central District of California
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2029 Century Park East, 6th Floor, Los Angeles, California 90067.

On June 22, 2015, I served the foregoing document described as:
[PROPOSED] ORDER GRANTING PLAINTIFF GLOBAL FOOD INNOVATIONS, INC.'S MOTION TO DISMISS DEFENDANT MICRO-TENDER'S COUNTERCLAIM on the parties in this action by serving:

Jack Wise
375 West Bedford Ave., Suite 101
Fresno, CA 93711
Telephone: 559-281-1884
Email: jack_ormundo@yahoo.com

☒ **By Envelope** - by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as below and delivering such envelopes:

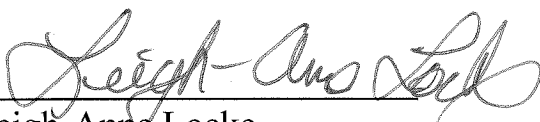
☒ **By Mail:** As follows: I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **By Federal Express:** I caused the envelope(s) to be delivered to the Federal Express office at 1925 Century Park East, 19th Fl., Los Angeles, California 90067, on June 22, 2015, for delivery on the next-business-day basis to the offices of the addressee(s).

By E-Mail Electronic Transmission: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address(es) so indicated below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ Executed on June 22, 2015, at Los Angeles, California.

☒ **FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


 Leigh-Anne Locke